

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7008

BILL NUMBER: HB 1370

NOTE PREPARED: Jan 2, 2005

BILL AMENDED:

SUBJECT: Ballot Vacancies.

FIRST AUTHOR: Rep. Tincher

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that if a candidate dies, withdraws, or is disqualified after the delivery of absentee ballots to the clerk, the name of the candidate remains on the ballot and the candidate vacancy is not filled for a general, municipal, or special election. The bill provides that if the candidate wins the election, the office vacancy is filled under existing law. The bill repeals statutes concerning the filling of late candidate vacancies, the reprinting of ballots, and procedures for updating ballots after printing.

Effective Date: July 1, 2005.

Explanation of State Expenditures: *Summary:* There may be, in the case where a withdrawn, disqualified, or deceased US Senator or US Representative candidate, a state legislative candidate, or local candidate were allowed to remain on the ballot after removal from candidacy, would present a savings to the Election Commission and Division. Under current law, the Division is required to receive and file certificates of candidate selection in the case of a candidate replacement before or after a primary. The Division is also required to provide a certified list of the name and address of each candidate selected to each county circuit court clerk in the election district. The Election Commission rules on the validity of filed certificates within seven days of a general election.

Under the bill, the provisions of current law as described above would be repealed. The Election Division could see limited savings in the administrative time and materials (such as ballot re-printing or "paster printing"). Given that the Division prints fewer paper ballots per election cycle, it is likely any savings would be minimal.

Background: The Election Division expended less than \$10,000 for paper ballots in 2002. The Division

expended less than \$15,000 for paper ballot production in 2000. In 2000, the Division had printed about 107,000 official presidential ballots, 29,900 sample presidential ballots, 88,950 official statewide office ballots, and about 16,000 sample statewide ballots.

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:* Counties may experience a savings in printing costs under the provisions of the bill, if fewer ballot reprints or “pasters” are produced for legislative or local offices. The savings are likely to be minimal.

Background: For the 2004 general election, optical scan ballots were about \$0.29 per ballot or \$290 per 1000 ballots. The cost of changing ballots for direct recording electronic voting systems would likely include the reprogramming cost and maintenance performed by a vendor.

Explanation of Local Revenues:

State Agencies Affected: Indiana Election Commission, Indiana Election Division.

Local Agencies Affected: County election boards, circuit court clerks.

Information Sources: Brad King, Co-Chair Indiana Election Division, Election Systems and Software (317) 913-0230.

Fiscal Analyst: Chris Baker, 317-232-9851.